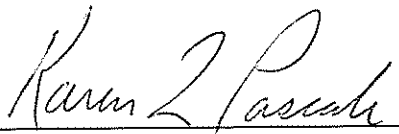


LOCAL RULE 7.1.1 STATEMENT

I, Karen L. Pascale, Esquire, hereby certify pursuant to D. Del. LR 7.1.1 that I informed Plaintiffs' counsel of Barr's intent to seek the relief requested in the foregoing Motion (see attached e-mail of Friday, July 6, 2007 at 1:40 p.m. EDT), and Plaintiffs have not responded thereto.

In light of the fact that Plaintiffs are on record as disputing the privileged nature of the documents which were the topic of discussion during the July 5, 2007 discovery teleconference (*see* D.I. 98) (FILED UNDER SEAL), Barr respectfully suggests that any further efforts to secure Plaintiffs' consent to the matters set forth in the emergency motion would be futile. Furthermore, due to the emergency nature of the motion, which requests the prophylactic sealing of the transcript of the July 5, 2007 discovery teleconference in order to prevent the irreversible disclosure to the public of information which Barr maintains is privileged and confidential, Barr respectfully submits that there is insufficient time in any event for the parties to engage in further negotiations with respect to the immediate relief requested.


Karen L. Pascale (#2903)

Pascale, Karen

From: Pascale, Karen
Sent: Friday, July 06, 2007 1:40 PM
To: Steve Balick
Cc: 'Noe, Jeremy'; 'Rich, Joshua'; Andrew W. Williams; 'Rurka, Maureen'; 'Mano, Julia'; Ingersoll, Josy
Subject: Aventis v. Barr (06-286-GMS) - designation of 07-05-07 transcript as "Highly Confidential - Attorneys' Eyes Only"

Importance: High

Dear Steve: I understand that the full, unredacted transcript from yesterday's telephone conference is being finalized this afternoon. Because the contents of certain documents that Barr maintains are privileged and confidential were discussed during the conference, Barr will be requesting that Judge Sleet order that the transcript be sealed. More specifically, Barr wants the opportunity to review the transcript and designate certain words, lines or portions to be redacted from the public version of the transcript. Aventis, of course, will have an opportunity to object to those designations. Pending Judge Sleet's resolution of the issue, however, Barr is designating the entire transcript of the July 5, 2007 discovery dispute conference as "Highly Confidential - Attorneys' Eyes Only." Please treat it as you would any other material so designated.

Thank you,

Karen

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